

2008 JUL -2 PM 4:41

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Coburn, et al.
US Pat. No.	7,371,853
Granted:	May 13, 2008
Serial No.:	10/541,476 - Case No.: 21310YP
Filed:	July 6, 2005
For:	MACROCYCLIC BETA-SECRETASE INHIBITORS FOR THE TREATMENT OF ALZHEIMER'S DISEASE



Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA, 22313-1450

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JUL 08 2008

OFFICE OF PETITIONS

Sir:

On April 3, 2008, applicants erroneously paid the small entity issue fee for this application. This error arose because the PTOL-85 form incorrectly indicated that the applicants were entitled to small entity status. Applicants did not notice this error prior to paying the issue fee.

The applicants never submitted an assertion of small entity status in this application. The first reference to small entity status was in the November 25, 2005 Official Filing Receipt. In response, applicants submitted a communication dated December 5, 2005, asserting that there is no entitlement to small entity status (see copy attached).

The following is an itemization of the fees incorrectly paid as a small entity.

	<u>Fee Paid As Small Entity</u>	<u>Deficiency Owed</u>
Issue Fee	\$720	\$720
Publication	\$300	\$0

The PTO is hereby authorized to charge the total deficiency owed of \$720 to Deposit Account No. 13-2755.

Favorably action is earnestly solicited.

Respectfully submitted,

By

John C. Todaro
John C. Todaro
Reg. No. 36,036
Attorney for Applicant
MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907

(732) 594-0125

Date: *6/26/2008*

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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Craig A. Coburn et al.	
Serial No.:	10/541,476	Case No.: 21310YP
Filed:	July 6, 2005	
For:	MACROCYCLIC BETA-SECRETASE INHIBITORS FOR THE TREATMENT OF ALZHEIMER'S DISEASE	

Examiner:

Art Unit:
1624

DOCKETED
DEC 09 2008
CHRISTINE A. CUFFEE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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COMMUNICATION

JUL 08 2008

Sir:

OFFICE OF PETITIONS

This communication is in response to the Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 and the Filing Receipt dated 11/25/2005.

Please note for your records that no small entity status was not claimed. The applicants are not entitled to small entity status.

Kindly update your records and issue a new Notice of Acceptance and Filing Receipt accordingly.

Respectfully submitted,

By


John C. Todaro, Reg. No. 36,036
Attorney for Applicants

MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-0125

Date: December 8, 2005

/kad

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.
By  Date 12-8-05